

REMARKS

Claims 31 - 148 are now in this application. Claims 1 - 14 and 16 - 30 are rejected. Claims 1 - 14 and 16 - 30 are cancelled herein, without prejudice. Claim 15 is previously cancelled. New claims 31 - 86 are added. The new claims are intended to clarify the invention, to express the invention in alternative wording, and to address matters of form unrelated to substantive patentability issues, as well as overcome 35 U.S.C. 112, first and second paragraph rejections of previous claims 1 - 14 and 16 - 30. All of the Examiner's bases for rejection under 35 U.S.C. 112, first and second paragraphs, as set forth in numbered paragraphs 3 - 112 of the Office Action are believed to be successfully overcome by the new set of claims. Other formal matters are also attended to that were not addressed by the Examiner and accordingly are considered unrelated to substantive patentability issues. No new matter is added. All of new claims 31 - 86 are supported by the original specification and claims. Applicants maintain that structural formula I supports all of the members of the Markush sub-group of morphine alkaloids according to new claim 32.

As of the previous Amendment in the case, filed November 13, 2003, there was a net total of up to three independent claims and a total of 29 separate dependne tclaims, including one multiply dependent on 19 claims (i.e., claim 11

was multiply dependent on claims 1 - 10, and 17 - 25 = 19 dependent claims), for a total of 48 dependent claims and 3 independent claims or a grand total of 51 claims previously paid for. After entry of this Amendment, there are 2 independent claims and 53 dependent claims for a grand total of 55 claims. There are no multiply dependent claims after entry of this Amendment. Therefore, a net of 4 additional total claims are added by this Amendment over those previously paid for. Accordingly, please charge the fee of $4 \times \$ 18.00 = \72.00 to Deposit Account No. 10-1250.

This Amendment is being filed within the first month of an extended period for response. Applicants hereby request a one month extension of the time to respond to the Office Action. Because the due date for response under a one month extension of the time to respond (i.e., June 6, 2004) fell on a Sunday, the time for filing this Amendment under a one month extension of the time to respond falls due on June 7, 2004. Please also charge the fee of \$110.00 for a one month extension of the time to respond to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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